

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

TONY G. PRICE

PLAINTIFF

V.

CAUSE NO. 1:15-CV-36-SA-DAS

GREG ELDER and
THE CITY OF BALDWYN, MISSISSIPPI

DEFENDANTS

ORDER

Pursuant to a memorandum opinion issued this day, the Court hereby orders:

1. Defendants' Motion for Partial Summary Judgment is GRANTED IN PART and DEFERRED IN PART.
2. Plaintiff's First Amendment claims, *Monell* claims, and *respondeat superior* claims are dismissed.
3. Within fourteen days, Plaintiff is ordered to submit additional briefing addressing (a) whether he intends to pursue a claim for indemnity under the MTCA, and if so (b) whether such a claim is viable in light of the concerns identified in the Court's opinion. Defendant may submit a response brief within fourteen days from the date Plaintiff's additional briefing is filed.
4. Defendants' Motion for Partial Dismissal for Failure to State a Claim [37] is DENIED as MOOT.

SO ORDERED, this the 29th day of March, 2016.

/s/ Sharion Aycock
UNITED STATES DISTRICT JUDGE